

REGULAR MEETING OF THE CANTON CITY COUNCIL
6:00 P.M., TUESDAY, FEBRUARY 17, 2015
City Hall Council Chambers
290 East Tyler Street, Canton, Texas 75103

MINUTES

The Canton City Council met at the above-named date and time in the City Hall Council Chambers. Members present were Mayor Richard Lawrence and Councilmembers Elisa Heard, Cary Hilliard, Cindy Malouf, Scott Perkins, and Shawn Stewart.

Also present were City Manager Lonny Cluck, City Secretary Debra Johnson, Public Works Director Walt Lehmann, Finance Director Kimberly Kroha, Police Chief Mike Echols, Fire Chief Bud Sanford, Building Inspector Dwight Lancaster and CEDC Director Julie Seymore. City Attorney Ron Stutes was also in attendance.

1. CALL TO ORDER - The meeting was called to order and a quorum was declared by Mayor Rick Lawrence at 6:01 p.m.
2. INVOCATION was led by Chief Sanford.
3. PLEDGE OF ALLEGIANCE was led by Councilmember Malouf.
4. MAYOR'S WELCOME – Mayor Lawrence welcomed everyone. Councilmember Stewart invited everyone to attend the Bachelors in Black fundraiser for Project Graduation on Saturday night.
5. DECLARATIONS REGARDING CONFLICTS OF INTEREST - None
6. PROCLAMATIONS AND ANNOUNCEMENTS – Mr. Cluck said the Western Swing was an excellent show for the community with 600-800 people in attendance on Friday and Saturday nights.

CITIZENS FORUM

7. CITIZENS FORUM – CITIZENS ARE INVITED TO SPEAK FOR THREE (3) MINUTES ON MATTERS RELATING TO CITY GOVERNMENT THAT ARE NOT LISTED ON THE REGULAR AGENDA

CONSENT AGENDA

8. CONSIDER APPROVAL OF MINUTES OF THE JANUARY 20 AND 30, 2015 CITY COUNCIL MEETINGS
9. CONSIDER APPROVAL OF JANUARY 2015 FINANCIAL STATEMENTS
10. CONSIDER APPROVAL OF JOINT ELECTION AGREEMENT WITH CANTON INDEPENDENT SCHOOL DISTRICT FOR MAY 9, 2015 GENERAL ELECTION

11. CONSIDER APPROVAL OF ELECTION EQUIPMENT CONTRACT WITH THE VAN ZANDT COUNTY CLERK FOR MAY 9, 2015 GENERAL ELECTION
12. CONSIDER ADOPTION OF RESOLUTION NO. 2015-08 APPOINTING DEPUTY CITY SECRETARIES

Councilmember Perkins made a motion to approve all items on the Consent Agenda.
Councilmember Heard seconded.

Council Member - Cary Hilliard: Approve
Council Member - Elisa M. Heard: Approve
Mayor Pro Tem - Shawn Stewart: Approve
Council Member - Scott Perkins: Approve
Council Member - Cindy Malouf: Approve

INDIVIDUAL CONSIDERATION

13. CONSIDER ADOPTION OF ORDINANCE NO. 2015-01 AUTHORIZING A GENERAL MUNICIPAL ELECTION TO BE HELD ON MAY 9, 2015, FOR THE PURPOSE OF ELECTING A MAYOR AND TWO CITY COUNCILMEMBERS; PROVIDING FOR NOTICES, VOTING EQUIPMENT AND A JOINT ELECTION WITH CISD; AND DESIGNATING THE POLLING PLACES AND TIMES FOR EARLY VOTING AND ELECTION DAY - Councilmember Malouf made a motion to adopt Ordinance No. 2015-01. Councilmember Perkins seconded.

Council Member - Cary Hilliard: Approve
Council Member - Elisa M. Heard: Approve
Mayor Pro Tem - Shawn Stewart: Approve
Council Member - Scott Perkins: Approve
Council Member - Cindy Malouf: Approve

14. CONSIDER ADOPTION OF ORDINANCE NO. 2015-02 AUTHORIZING THE ISSUANCE AND SALE OF CITY OF CANTON, TEXAS, LIMITED TAX NOTE, SERIES 2015; LEVYING AN ANNUAL AD VALOREM TAX AND PROVIDING FOR THE SECURITY FOR AND PAYMENT OF SAID NOTE; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT - Councilmember Stewart made a motion to adopt Ordinance No. 2015-02. Councilmember Perkins seconded.

Council Member - Cary Hilliard: Disapprove
Council Member - Elisa M. Heard: Approve
Mayor Pro Tem - Shawn Stewart: Approve
Council Member - Scott Perkins: Approve
Council Member - Cindy Malouf: Approve

Mayor Lawrence called a brief recess at 06:25 p.m.
Mayor Lawrence reconvened Council at 06:31 p.m.

15. CONSIDER DESIGN, CONSTRUCTION AND FINANCING OF PROJECTS INCLUDING, BUT NOT LIMITED TO, STREETS AND UTILITIES, IMPROVEMENTS TO FIRST MONDAY GROUNDS, CONSTRUCTION OF NEW CELL TOWER, RELOCATION OF ANTENNAS FROM HISTORIC WATER TOWER, REPAINTING OF HISTORIC WATER

TOWER, AND NEW CITY HALL - Mr. Cluck reported he met with AT&T and an engineer and they selected a site for the new tower on the Senior Citizens parking lot toward the bottom of the hill. The engineer was getting together a plan and they would start to move forward on that project. The engineer recommended building a tower that would accommodate two other carriers and one that could be added onto in the future. It would be about ninety days before a bid would come back for the tower. The tower would only take about three weeks to build. The water tower would have to be shrouded for the paint to be removed and to be repainted. Mr. Cluck said he would meet with the architects in the morning about the façade for the new city hall. They were at a standstill until it was determined if we wanted a gable roof or a hip roof. Councilmember Malouf said she wanted to stay at the price point they were now. Councilmember Heard requested something other than an arch on the front windows. Mr. Cluck said he would come back to Council with ideas on how to break up the look on the south-end wall.

16. CONSIDER AWARDING BID FOR 14" WATER MAIN FROM CITY WATER PLANT TO HIGHWAY 243

The following bids were received:

BELT Construction, Inc.	\$148,936.86
Duplicchain Contractors	\$149,882.00
JDR Contracting LP	\$157,213.70
4M Construction	\$160,762.92
Capps-Capco Construction	\$168,960.70
XIT Paving and Construction	\$175,241.00
7-H Construction Company	\$180,030.40
Reynolds & Kay Ltd.	\$188,075.12
Crocker Construction LLC	\$190,666.25
RBIS LLC	\$192,792.60
AAA Sanitation, Inc.	\$197,744.00
Mitchell Enterprises Ltd.	\$248,483.51
Atkins Bros. Equipment Co.	\$286,514.00

Councilmember Stewart made a motion to award the bid to BELT Construction, Inc. for \$148,936.86 contingent upon a favorable Dun & Bradstreet report. Councilmember Malouf seconded.

Council Member - Cary Hilliard: Approve
 Council Member - Elisa M. Heard: Approve
 Mayor Pro Tem - Shawn Stewart: Approve
 Council Member - Scott Perkins: Approve
 Council Member - Cindy Malouf: Approve

17. CONSIDER AWARDING BID FOR A FEDERAL SIGNAL OUTDOOR WARNING AND PUBLIC ADDRESS SYSTEM

The following was the sole bid received:

Goddard Enterprises	\$99,996.00
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Councilmember Perkins made a motion to award the bid to Goddard Enterprises for \$99,996.00. Councilmember Heard seconded.

Council Member - Cary Hilliard: Approve
Council Member - Elisa M. Heard: Approve
Mayor Pro Tem - Shawn Stewart: Approve
Council Member - Scott Perkins: Approve
Council Member - Cindy Malouf: Approve

18. CONSIDER ADOPTION OF RESOLUTION NO. 2015-09 AMENDING POLICY REGARDING THE EXTENSION OF CITY UTILITIES TO PROPERTIES – Councilmember Perkins made a motion to adopt Resolution No. 2015-09. Councilmember Stewart seconded.

Council Member - Cary Hilliard: Approve
Council Member - Elisa M. Heard: Approve
Mayor Pro Tem - Shawn Stewart: Approve
Council Member - Scott Perkins: Approve
Council Member - Cindy Malouf: Approve

19. CONSIDER ADOPTION OF RESOLUTION NO. 2015-01 ESTABLISHING GUIDELINES FOR MAYOR / COUNCIL INTERACTION WITH CITY STAFF – Mayor Lawrence postponed this item so changes could be made to the proposed policy.

20. DISCUSS AND CONSIDER CONTRACT WITH EAST TEXAS COMMUNITIES FOUNDATION (ETCF) FOR MILL CREEK LAKE TRAIL DONATIONS – Councilmember Stewart made a motion that the City contract with East Texas Communities Foundation for citizen donations to Mill Creek trails or any other parks projects with the contingency Mr. Stutes would work out the details in Paragraph 8 to allow donations in the fund to be used for City's matches for a grant. Councilmember Perkins seconded.

Council Member - Cary Hilliard: Approve
Council Member - Elisa M. Heard: Approve
Mayor Pro Tem - Shawn Stewart: Approve
Council Member - Scott Perkins: Approve
Council Member - Cindy Malouf: Approve

21. DISCUSS AND CONSIDER UPDATING VERSIONS OF BUILDING CODE AND NEC CODE – Mr. Cluck recommended no action be taken on this item. He was not prepared to give a recommendation on which Code we should adopt. They were not ready to go to the 2011 Code. He wanted to meet with other ISO personnel before making a decision on how to proceed.

22. MAIN STREET QUARTERLY REPORT – Mayor Lawrence postponed this item to the future when Ms. Erwin could be present.

23. DISCUSS AND CONSIDER SETTING A DATE FOR CITY MANAGER EVALUATION – Councilmember Hilliard made a motion that Council, as a body, conduct the evaluation of the City Manager. The motion died for lack of second.

EXECUTIVE SESSION

A closed or executive session will follow pursuant to the provision of the Open Meetings Law, Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, in accordance with the authority contained in Section 551.087.

24. EXECUTIVE SESSION FOR DELIBERATIONS REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS (Section 551.087) – Mayor Lawrence convened Council into Executive Session at 7:36 p.m.

RETURN TO OPEN SESSION

25. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION - Council reconvened into open session at 7:59 p.m. with no action taken.
26. ITEMS FOR FUTURE AGENDAS - None
27. ADJOURN - There being no further business to discuss, Mayor Lawrence adjourned the meeting at 8:00 p.m.